

1  
2  
3 UNITED STATES DISTRICT COURT  
4 DISTRICT OF MASSACHUSETTS  
5

6  
7 IN RE BIOPURE CORPORATION SECURITIES  
8 LITIGATION  
9

)  
) CIVIL ACTION  
) NO. 03-12628-NG  
)  
)  
)

10  
11 AFFIDAVIT OF DR. JOHN G. ESPOSITO  
12

13 I, John G. Esposito, depose and say as follows:

14 1. My name is Dr. John G. Esposito, Jr. I was the named Plaintiff on an Initial  
15 complaint and on the Consolidated Amended Complaint and the Second Consolidated  
16 Amended Complaint that were filed in this action. I am also a Class Representative in this  
17 action.  
18

19 2. I suffered losses on my purchases of common shares of Biopure Corporation, Inc.  
20 ("Biopure") during the class period in this action of April 9, 2003 through December 24, 2003.  
21

22 3. I am, and have been during the course of this litigation, a dentist engaged in the  
23 private practice of oral and maxillofacial surgery. In addition, I have a consulting practice and  
24 perform independent medical exams and provide expert testimony in connection therewith.  
25

26 4. After learning on or about December 24, 2003 of significant declines in the value of  
27  
28

1 my Biopure shares and the FDA's halting of Biopure's clinical trauma trials for Hemopure, I  
2 contacted one of my attorneys, Howard T. Longman of Stull, Stull & Brody.  
3

4 5. I have performed the following tasks as Plaintiff and class  
5 representative in this action in this litigation:  
6

7 a. had initial consultation with counsel;  
8

9 b. reviewed the complaint filed in this action and study and reviewed  
10 my Plaintiff's Certification;

11 c. studied and approved the Consolidated Amended Complaint and the  
12 Second Consolidated Amended Complaint;

13 d. reviewed and discussed with counsel legal issues related to Defendants'  
14 motions to dismiss;  
15

16 g. made calls to or took calls from my counsel to discuss the status of case;

17 h. assembled documents for production to Defendants in connection with class  
18 certification discovery and provided and reviewed interrogatory responses;  
19

20 i. prepared for my deposition with my counsel;

21 j. testified at deposition in response to Defendants' counsels' questioning; and  
22

23 k. conferred with my counsel regarding the settlement of this action.

24 6. I estimate that I have devoted at least 16 hours or two work days, to this litigation,  
25 and probably even more. I earn approximately \$3,000 per eight hour work day.  
26  
27  
28

1 7. As a result of my devoting time to this litigation as described above, which took time  
2 away from my employment, I estimate I lost approximately \$6,000 in income that I would  
3 otherwise have earned.  
4

5 Signed under the penalties of perjury on September 10, 2007.

6   
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28